

October 22, 1999

D.T.E. 98-67

Investigation by the Department of Telecommunications and Energy of Bell Atlantic-Massachusetts' Fourth Annual Price Cap Compliance filing, filed with the Department on July 1, 1998, tariff revisions to M.D.T.E. No. 10 to become effective August 15, 1998.

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## I. INTRODUCTION

On July 1, 1998, New England Telephone and Telegraph Company d/b/a Bell Atlantic-Massachusetts ("Bell Atlantic" or "Company") filed revisions to its tariff M.D.T.E. No. 10, with the Department of Telecommunications and Energy ("Department"), in compliance with NYNEX Price Cap, D.P.U. 94-50 (1995). The filing constitutes the Company's fourth annual filing under price cap regulation. The Department docketed this matter as D.T.E. 98-67. The Company proposed that the tariff revisions become effective on August 15, 1998, unless suspended or disallowed by the Department.

Bell Atlantic proposed a \$17.2 million reduction in overall revenue, representing a 0.97 percent reduction in intrastate revenues (Compliance Filing at 1). The reduction included a \$0.6 million decrease in revenues from residential customers, a \$5.8 million decrease in revenues from business customers, and a \$10.8 million decrease in revenues from commercial mobile radio service ("CMRS") providers (id.). The Company's proposal also included exogenous costs adjustments<sup>(1)</sup> to reflect new inter- and intrastate allocation rules for Other Billing and Collection Expenses implemented by the Federal Communications Commission ("FCC"), and reciprocal compensation expenses incurred when calls originating on Bell Atlantic's network are terminated on another carrier's network (id. at 21-22). The net effect of these adjustments was to lower the level of the revenue reduction from \$32 million to \$17.2 million.<sup>(2)</sup>

Pursuant to notice duly issued, the Department held a public hearing at its offices on August 5, 1998, to afford the public an opportunity to comment on the Company's compliance filing. The Attorney General of the Commonwealth intervened as of right,

pursuant to G.L. c. 12, § 11E. The Department granted the petitions to intervene of AT&T Communications of New England, Inc. ("AT&T"), United States Department of Defense and All Other Federal Executive Agencies ("DOD/FEAs"), Global NAPs, Inc., MCI Telecommunications Corporation (now MCI WorldCom, Inc.) ("MCI WorldCom"), RNK, Inc., and Sprint Communications Company L.P.

On August 3, 1998, AT&T filed comments with the Department requesting that the Department direct Bell Atlantic to refile its compliance filing to provide for reductions in intrastate switched access rates, and to reflect an overall revenue reduction that does not include an adjustment for exogenous costs associated with reciprocal compensation. On August 3, 1998, MCI WorldCom filed a Request for Summary Rejection or Suspension of Bell Atlantic's Fourth Annual Price Cap Filing ("MCI WorldCom Comments"). In its Request, MCI WorldCom argued that Bell Atlantic had not met the Department's exogenous cost filing requirements for costs associated with reciprocal compensation, that the Department should summarily reject Bell Atlantic's compliance filing due to this defect, and that the Department should direct Bell Atlantic to refile its compliance filing without this exogenous cost adjustment. In the alternative, MCI WorldCom requested that the Department suspend the Company's tariff and investigate the exogenous cost adjustment in Bell Atlantic's compliance filing. On August 7, 1998, Bell Atlantic responded to AT&T's comments and MCI WorldCom's request, arguing that the Department should reject the claims of AT&T and MCI WorldCom and permit Bell Atlantic's Price Cap tariff to become effective immediately subject to further investigation (Bell Atlantic Comments).

On August 14, 1998, the Department issued an Order in which it declined to suspend the tariff, and the proposed tariff revisions went into effect on August 15, 1998, pending further investigation. Bell Atlantic Fourth Price Cap Compliance Filing, D.T.E. 98-67, Interlocutory Order on Suspension (August 14, 1998). In that Order, the Department stated that based on the arguments made by intervenors and the Company's showing to date, the Department needed to investigate the reciprocal compensation exogenous cost adjustment. Interlocutory Order on Suspension at 9.

On October 21 and 22, 1998, the Department held evidentiary hearings on this matter. Bell Atlantic sponsored the testimony of Paula L. Brown, Vice President-Regulatory, and Dr. William E. Taylor, Senior Vice President of National Economic Research Associates, Inc. DOD/FEAs presented the testimony of Harry Gildea, a consultant with Snavelly King Majoros O'Connor & Lee, Inc. AT&T presented the testimony of Dr. David L. Kaserman, Professor of Economics at Auburn University in Alabama. MCI WorldCom presented the testimony of Susan M. Baldwin, Senior Vice President of Economics and Technology, Inc. The evidentiary record consists of 59 exhibits: four sponsored by Bell Atlantic, two sponsored by DOD/FEAs, nine sponsored by AT&T, 15 sponsored by MCI WorldCom, 16 sponsored by the Attorney General, and 13 sponsored by the Department. The record also includes 13 record requests. Initial briefs were submitted by Bell Atlantic, the Attorney General, MCI WorldCom, AT&T, and DOD/FEAs. Reply briefs were submitted by Bell Atlantic, the Attorney General, MCI WorldCom and AT&T.

On May 21, 1999, Bell Atlantic filed with the Department a Motion to Amend its Fourth Price Cap Compliance filing ("Motion"). In its Motion, Bell Atlantic requests that it be permitted to withdraw the exogenous cost adjustment proposed in the Fourth Price Cap filing associated with reciprocal compensation expenses, and to reduce further Massachusetts intrastate rates by the full amount of the proposed adjustment, approximately \$21.2 million (Motion at 1). On June 1, 1999, AT&T ("AT&T Motion to Amend Comments") and MCI WorldCom ("MCI WorldCom Motion to Amend Comments") filed comments on Bell Atlantic's Motion. On June 4, 1999, Bell Atlantic filed a response to AT&T and MCI WorldCom's comments ("Bell Atlantic Reply").

## II. BELL ATLANTIC MOTION TO AMEND

Bell Atlantic states that its Motion is in response to the Department's decision in MCI WorldCom, Inc., D.T.E. 97-116-C (1999) ("MCI WorldCom Order"). In that Order, the Department found that Bell Atlantic "shall not be required to make reciprocal compensation payments, in excess of a 2:1 terminating-to-originating ratio, beginning with any payments made or to be made after (and including payments undisputed as of) February 26, 1999" for traffic to Internet Service Providers. MCI WorldCom Order at 41. According to Bell Atlantic, as a result of the Department's ruling, the level of reciprocal compensation expense that Bell Atlantic will be required to incur is substantially reduced and the level of such exogenous costs Bell Atlantic may incur in the future is uncertain (Motion at 3). Therefore, Bell Atlantic requests that it be allowed to amend its Price Cap Compliance Filing by withdrawing the exogenous cost adjustment for reciprocal compensation (id.). Bell Atlantic notes that it reserves its right to propose an exogenous cost adjustment in a future annual price cap filing (id. at 3 n.2).

Bell Atlantic states that eliminating the reciprocal compensation adjustment produces an additional \$21.2 million annual revenue reduction that must be accounted for in the Price Cap Plan (id.). Bell Atlantic proposes to account for this reduction by (1) reducing the monthly Residence Touch Tone rate from \$0.98 to \$0.49; and (2) eliminating the current monthly Touch Tone charge of \$4.03 for Business PBX trunks (id.). In addition, Bell Atlantic proposes to apply a one-time credit on all exchange lines to make these rate changes retroactive to August, 14, 1998, the date when Bell Atlantic's proposed rate changes were allowed by the Department to go into effect pending further investigation (id.). The amount of the one-time credit will depend on when the Department rules on the Motion to Amend (id. at 4). Bell Atlantic stated that if the Motion to Amend were approved in mid-June, the one-time credit would be approximately \$4.00 per exchange line (id.). Bell Atlantic stated it would submit workpapers in a compliance filing showing calculation of the credit once the Department approves its Motion to Amend (id.).

### 2. Positions of the Parties

#### a. AT&T

AT&T does not oppose Bell Atlantic's motion to withdraw its request for exogenous cost treatment of reciprocal compensation payments (AT&T Motion to Amend Comments

at 1). AT&T notes that Bell Atlantic proposes to withdraw its request for exogenous cost treatment of all reciprocal compensation payments, not just those payments for ISP-bound traffic that were addressed by the Department's MCI WorldCom Order (id. at 4). AT&T argues that the Department should, in its Order, ensure that refunds due to consumers reflect interest from August 14, 1998 to present (id.).

b. MCI WorldCom

MCI WorldCom argues that the Department should allow Bell Atlantic to withdraw the exogenous cost adjustment for reciprocal compensation costs (MCI WorldCom Motion to Amend Comments at 2). However, MCI WorldCom contends that the Department should not act on Bell Atlantic's Motion until after Bell Atlantic submits proposed tariffs that reflect the rate changes proposed in the Motion, and after parties have an opportunity to comment on those tariffs (id.). MCI WorldCom maintains that tariff filings are necessary for parties to review and comment on the details of Bell Atlantic's proposal (id. at 3). In particular, MCI WorldCom questions the application of the one-time credit, and reduction of Touch Tone rates (id.).

c. Bell Atlantic

Bell Atlantic notes that AT&T and MCI WorldCom do not object to its Motion, and requests that the Department grant the Motion (Bell Atlantic Reply at 1). In its Reply, Bell Atlantic also rebuts several arguments made by AT&T regarding the appropriateness of Bell Atlantic's original request to treat reciprocal compensation payments as exogenous costs (id. at 1-3). In addition, Bell Atlantic comments on three implementation issues raised by AT&T and MCI WorldCom in their comments. First, Bell Atlantic disagrees with MCI WorldCom's objection to Bell Atlantic's proposal to reduce Touch Tone charges, stating that Bell Atlantic has discretion under the Price Cap Plan to make such rate changes (id. at 3). Second, Bell Atlantic rebuts MCI WorldCom's allegation that selective treatment of the one-time credit may be discriminatory and anticompetitive (id.). Bell Atlantic points out that unbundled loops cited by MCI WorldCom are priced pursuant to the Act, and are not covered by the Price Cap pricing rules, and therefore it is not discriminatory or anticompetitive to provide a credit under the Price Cap Plan only to services covered by the Plan's pricing rules (id. at 3-4). Third, Bell Atlantic argues that AT&T's claim that interest should be applied to the one-time credit should be rejected because Bell Atlantic did not retain reciprocal compensation funds during the study period, but incurred reciprocal compensation as an expense (id. at 4).

3. Analysis and Findings

No party objected to Bell Atlantic's request to withdraw its exogenous cost adjustment associated with reciprocal compensation expenses and to reduce further Massachusetts intrastate rates by approximately \$21.2 million. We find that this modification is consistent with the Price Cap rules. The Department hereby grants Bell Atlantic's request to withdraw its exogenous cost adjustment. Regarding implementation issues raised by AT&T and MCI WorldCom, Bell Atlantic has the discretion under the Department's

Price Cap Plan rules to allocate the revenue reduction to Touch Tone service. See D.P.U. 95-40, at 250-251. In addition, we agree with Bell Atlantic that this price cap proceeding is not the correct forum to address changes to unbundled network element pricing, as that pricing is set according to the Act. 47 U.S.C. § 252(d)(1).

Finally, we approve Bell Atlantic's one-time credit to all exchange lines to refund the reciprocal compensation exogenous cost adjustment retroactive to August 15, 1998. However, the credit is meant to put ratepayers collectively in the same position as they would have been on August 15, 1998, had Bell Atlantic not originally proposed the reciprocal compensation exogenous cost adjustment. The credit does not address Bell Atlantic's retention and use of the funds for more than a year, funds that it would not have collected from ratepayers had it reduced its revenue requirement by the amount of the reciprocal compensation exogenous cost adjustment on August 15, 1998. Requiring Bell Atlantic to pay interest is not a penalty as argued by the Company; it simply represents the time-value of money that legitimately belongs to ratepayers, and its return is necessary to make ratepayers whole for the use of their money since August 15, 1998. We find that Bell Atlantic shall calculate interest at the interest rate contained in its retail tariff at M.D.T.E. No. 10, Part A, Section 1.5.6.A.2., to cover the period of time from August 14, 1998, to the date that the credit is implemented. See G.L. c. 159, §§ 12, 20. The interest amount shall be added to overall credit amount.

With the above modifications, the Department grants Bell Atlantic's Motion to Amend. Bell Atlantic is required to make a compliance filing reflecting its tariff changes for Touch Tone services and calculations for the one-time credit (plus interest) based on a proposed implementation date, within 30 days of the date of this Order. The Department would like these changes to take effect as soon as possible. Therefore, interveners will have five business days from the date of the compliance filing to comment on Bell Atlantic's filing, and Bell Atlantic will have two business days to respond to any comments.<sup>(3)</sup>

### III. EXOGENOUS COST CHANGES

#### A. Introduction

Bell Atlantic's amended Price Cap Filing reflects an exogenous cost adjustment associated with the allocation of Other Billing and Collection ("OB&C") expenses resulting from a FCC change in accounting rules.

#### B. Standard of Review

In NYNEX Price Cap, D.P.U. 94-50 (1995), the Department approved an exogenous cost mechanism to allow Bell Atlantic to recover costs not captured by the Price Cap formula. In that Order, the Department defined exogenous costs as positive or negative cost changes actually beyond the Company's control and not reflected in the GDP-PI, including, but not limited to cost changes resulting from:

- changes in tax laws that uniquely affect the telecommunications industry;
- mandated jurisdictional separation changes;
- accounting, changes unique to the telecommunications industry; and
- judicial, or legislative changes uniquely affecting the telecommunications industry.

Id. at 172-173.

In D.P.U. 94-50, the Department established that the proponent of the exogenous cost adjustment bears the burden of proof. The Department also stated that the proponent of the exogenous cost adjustment bears the burden of demonstrating that the proposed exogenous cost change has not been reflected in the GDP-PI. Id. at 173. The Department made a finding that any proposed exogenous cost adjustment must affect a company's annual revenues by more than \$3 million, and that the financial effect of any proposed exogenous cost change should be quantified and explained in detail by the party proposing the adjustment. Id.

#### A. Positions of the Parties

##### 1. Bell Atlantic

Bell Atlantic maintains that OB&C expenses, which Bell Atlantic incurs when it prepares and renders end-user customer bills and when it accounts for revenues generated by those bills, are subject to the separations process that allocates expenses between the interstate and intrastate jurisdictions (Exh. BA-MA-2, at 5). As a result of the FCC's order in Docket 80-286, the method for separating OB&C expenses was modified, effective May 1, 1997, to assign a fixed and equal percentage (one-third) among three services: local exchange, intrastate toll, and interstate toll (id. at 6). The FCC's rule change had the effect of increasing interstate expenses in Massachusetts by approximately \$6.5 million, and decreasing intrastate expenses by a corresponding amount (Exh. BA-MA-1, at 21). Bell Atlantic argues that this is precisely the type of "mandated jurisdictional separation" cost change that the Price Cap Plan permits Bell Atlantic to include in calculating price indices and that Bell Atlantic is therefore entitled to make this adjustment (Bell Atlantic Brief at 5, 14).

##### 2. Other Parties

None of the parties objected to Bell Atlantic's proposed OB&C expenses adjustment.

#### C. Analysis and Findings

Because of the FCC-mandated separations change for OB&C expenses, Bell Atlantic experienced a \$6.5 million reduction in annual expenses. This reduction in cost was beyond Bell Atlantic's control and not reflected in the GDP-PI. In addition, the cost change exceeds the \$3 million annual revenue threshold established in D.P.U. 94-50. Thus, we find that Bell Atlantic has met its burden of demonstrating the reasonableness and appropriateness of the proposed exogenous cost adjustment. Accordingly, the Department approves the adjustment as filed.

#### IV. WIRELESS CARRIER AGREEMENTS

##### A. Introduction

In compliance with §§251(c)(2) and 252 of the Act, Bell Atlantic entered into interconnection agreements with commercial mobile radio service ("CMRS") providers. The agreements, which were filed with the Department, govern the interconnection arrangements between Bell Atlantic and CMRS providers and replace the tariffed rates with contract rates. The agreements result in reductions in the charges for services provided to CMRS providers. The proposed total revenue reduction due to the change is \$10.8 million.

##### B. Positions of the Parties

###### 1. AT&T

AT&T argues that Bell Atlantic's proposed \$10.8 million adjustment for reduced revenues received from wireless cellular carriers is unjustified, because Bell Atlantic cannot use voluntary agreements in which prices to certain customers--including its own affiliate, Bell Atlantic Mobile--are reduced, as a basis for not further reducing its rates to its captive customers in its 1998 price cap compliance filing (AT&T Brief at 11-12). AT&T contends that Bell Atlantic's loss of revenues related to its voluntarily negotiated contracts with wireless carriers is the result of a business decision by Bell Atlantic the results of which should not be passed onto Bell Atlantic captive ratepayers (id. at 12).

###### 2. Bell Atlantic

Bell Atlantic argues that inclusion of the rate reductions for wireless services under negotiated interconnection agreements is reasonable and appropriate, and consistent with the Department's past treatment of wireless carrier price changes (Bell Atlantic Reply Brief at 8, citing D.P.U. 93-125 (treatment of change from contract rates to tariffed rates)). Bell Atlantic maintains that this filing treats wireless services rate changes in the same manner (id.). Bell Atlantic differentiates wireless carrier rate changes from coin rate changes in NYNEX Third Annual Price Cap Compliance Filing, D.P.U./D.T.E. 97-67 (1998) because services and rates for wireless carriers continue to be regulated and included in the annual Price Cap filing, and therefore changes in those rates are properly reflected as a rate change in the price cap (Bell Atlantic Brief at 2 n.3).

### C. Analysis and Findings

Over the years, we have consistently affirmed that, as long as Bell Atlantic complies with the pricing rules of its Price Cap Plan and other directives in D.P.U. 94-50, the Company has the flexibility to determine what rate changes to make in order to produce the overall revenue reductions. D.P.U./D.T.E. 97-67, at 11-12. The mere fact that these reductions are a result of negotiated agreements does not preclude Bell Atlantic from including them toward its overall revenue reduction. Contrary to AT&T's claims, most rate changes Bell Atlantic makes under its Price Cap are voluntary business decisions. The tariffed rates are included with the Price Cap indices and the rates are still included in the indices after Bell Atlantic migrated them from tariff to contract (see RR-DTE-1). Although D.P.U. 94-50 contemplated that Bell Atlantic would make changes to "tariffed" rates, that Order did not explicitly prevent Bell Atlantic from including contract rates for monopoly services in the Price Cap indices.

Moreover, contrary to AT&T's claim, the Price Cap Plan allows Bell Atlantic to apply rate reductions made during the study period (in this case, the 1997 study year) toward the overall revenue reduction. As opposed to price increases which only can occur at the time of annual filings, price reductions counted towards the overall revenue change can be made at any time up to and including the annual filing. D.P.U. 94-50, at 219.

Accordingly, the Department approves Bell Atlantic's Price Cap Plan adjustment that resulted from interconnection agreements with wireless carriers.

## V. OTHER RATE CHANGES

### A. Positions of the Parties

#### 1. DOD/FEAs

The DOD/FEAs contend that the Department should target any additional rate reductions resulting from the changes above to enhance opportunities for competition to develop (DOD/FEA Brief at 12). For example, cost-justified reductions in switched access charges will complement other rate cuts proposed by the Company (id.).<sup>(4)</sup> Also, the DOD/FEAs maintain that phased elimination of differences between the charges for business and residence services will spread the incentives for competition more evenly throughout Massachusetts (id. at 13). In addition, the DOD/FEAs state that a reduction in Direct Inward Dialing ("DID") charges will balance competition between Private Branch Exchange and Centrex services (id. at 16).

#### 2. Bell Atlantic

Contrary to other parties' claims, Bell Atlantic contends that it is not required to reduce rates for switched access and or specific business services, e.g., DID, in this Price Cap Filing (Bell Atlantic Brief at 3). Bell Atlantic states that it has made significant switched access rate reductions to achieve target rate levels by the second annual price cap filing,

as required by the Department (id. at 4). In prior price cap filings, the Department has rejected other parties' requests for additional reductions in switched access rates and business service charges and has ruled that it is within Bell Atlantic's discretion "(not other parties and not the Department) to determine the means to implement annual revenue changes, consistent with the Price Cap plan's pricing rules and price floor standards." NYNEX Second Annual Price Cap Compliance Filing, D.P.U. 96-68, at 13, Interlocutory Order on Suspension (October 11, 1996); see also D.P.U./D.T.E. 97-67, at 11-12 (1998). Bell Atlantic claims that the Department must reject parties' rearguments again - now for the fourth time - and reaffirm its prior decision that in exercising pricing discretion, BA-MA is obligated to follow the Price Cap Plan rules, not the pricing demands of its competitors (Bell Atlantic Brief at 4).

## B. Analysis and Findings

As explained above, as long as Bell Atlantic complies with the pricing rules of its Price Cap Plan, the Company has the flexibility to determine what rate changes to make in order to produce the desired overall revenue reductions. D.P.U. 94-50, at 250-251. As we found in D.P.U./D.T.E. 97-67, the parties continue to reargue an issue decided in D.P.U. 94-50. D.P.U./D.T.E. 97-67, at 12. Therefore, we find that the DOD/FEAs claims are without merit.

## VI. CONCLUSION

As with prior annual filings, the Department must determine whether Bell Atlantic has calculated the price cap indices correctly. None of the parties challenge Bell Atlantic's calculations of the indices. The Department has reviewed the calculations contained in Bell Atlantic's filing and finds that Bell Atlantic has calculated the indices correctly, in compliance with D.P.U. 94-50. In addition, consistent with the findings in the sections above, we find that Bell Atlantic has complied with the pricing rules and other directives in D.P.U. 94-50.

Regarding price floors requirements, in D.P.U. 94-50, at 205-206, the Department adopted price floor requirements for Bell Atlantic in order to prevent anticompetitive pricing and cross subsidization. In Local Exchange Competition, D.P.U./D.T.E. 94-185-C, at 11 (1997), the Department found that Bell Atlantic could satisfy the D.P.U. 94-50 price floors requirements by filing a wholesale tariff for all of its retail services. We find that for purposes of this Fourth Annual Price Cap filing, Bell Atlantic has complied with that requirement by making its retail services available for resale through M.D.T.E. No. 14. However, in D.P.U./D.T.E. 94-185-D, at 10-11, the Department modified its price floors requirements concerning Bell Atlantic's toll services. The Department found that for Bell Atlantic's toll services (excluding premium toll services), Bell Atlantic would need to calculate Total Service Long-Run Incremental Cost ("TSLRIC") price floors, rather than simply relying on a wholesale tariff, to satisfy the Department's previously-existing imputation price floor requirement. Id. The Department is developing those TSLRIC price floors for Bell Atlantic's non-premium toll services. See D.P.U./D.T.E. 94-185-E. That docket is pending; a decision is not expected until next year. Until those

price floors for non-premium toll services are established, we will allow Bell Atlantic's wholesale tariff to satisfy Bell Atlantic's price floor requirements for non-premium toll services. Thus, we also find that Bell Atlantic complies with our price floor requirements.

Accordingly, for all of the above reasons, we approve Bell Atlantic's amended Fourth Annual Price Cap compliance filing. Bell Atlantic is directed to file a compliance filing for its Touch Tone services reductions and calculations for the one-time credit, within 30 days from the date of this Order.

## VII. ORDER

Accordingly, after due notice, hearing and consideration, it is

ORDERED: That Bell Atlantic's amended Fourth Annual Price Cap compliance filing is hereby APPROVED; and it is

FURTHER ORDERED: Bell Atlantic submit a compliance filing within 30 days from the date of this Order.

By Order of the Department,

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Janet Gail Besser, Chair

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James Connelly, Commissioner

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W. Robert Keating, Commissioner

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Paul B. Vasington, Commissioner

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Eugene J. Sullivan, Jr., Commissioner

Appeal as to matters of law from any final decision, order or ruling of the Commission may be taken to the Supreme Judicial Court by an aggrieved party in interest by the filing of a written petition praying that the Order of the Commission be modified or set aside in whole or in part.

Such petition for appeal shall be filed with the Secretary of the Commission within twenty days after the date of service of the decision, order or ruling of the Commission, or within such further time as the Commission may allow upon request filed prior to the expiration of twenty days after the date of service of said decision, order or ruling. Within ten days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court sitting in Suffolk County by filing a copy thereof with the Clerk of said Court. (Sec. 5, Chapter 25, G.L. Ter. Ed., as most recently amended by Chapter 485 of the Acts of 1971).

1. Exogenous costs are positive or negative cost changes actually beyond the Company's control and not reflected in the GDP-PI (one of the inputs to the price cap formula).

Exogenous cost changes may result from regulatory, judicial, or legislative changes uniquely affecting the telecommunications industry. D.P.U. 94-50, at 172-173 (1995).

2. For a detailed summary of the rate changes proposed by Bell Atlantic in its July 1, 1998 compliance filing, see Bell Atlantic-Massachusetts' Fourth Annual Price Cap Compliance Filing, D.T.E. 98-67, at 3-4, Interlocutory Order on Suspension (August 14, 1998) ("Interlocutory Order on Suspension").

3. Bell Atlantic shall serve the compliance filing on parties by electronic mail, and intervenors shall serve their comments by like means.

4. See also AT&T Brief at 3 n.1.